

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JON COLEMAN HOFF,

Plaintiff,

v.

LT. BRIGHT, *et al.*,

Defendants.

Case No. 5:23-cv-1587-ACA-SGC

MEMORANDUM OPINION

Plaintiff Jon Coleman Hoff, who is proceeding *pro se* and *in forma pauperis*, filed his complaint, alleging claims under 42 U.S.C. § 1983. (*See* docs. 6, 8). The magistrate judge ordered Mr. Hoff to sign a prisoner consent form and return it to the Clerk of Court within 30 days. (*See* doc. 8). The magistrate judge warned Mr. Hoff that if he did not sign and return the form by the deadline, his lawsuit might be dismissed without further notice. (*Id.* at 3–4). That deadline has expired (*see id.*), and to date, Mr. Hoff has not returned the appropriate form.

Because Mr. Hoff did not timely file the form, the magistrate judge entered a report, recommending that the court dismiss this action without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b). (Doc. 9). The magistrate judge advised Mr. Hoff of his right to object to the report within fourteen days. (*See*

id. at 2–3). That deadline has also expired (*see id.*), and to date, Mr. Hoff has not filed any objections or responses to the magistrate judge’s report.

The court therefore **ADOPTS** the report (doc. 9) and **ACCEPTS** the recommendation. Consistent with that recommendation, the court **DISMISSES** this action **WITHOUT PREJUDICE** for failure to prosecute. The court will enter a separate order consistent with this memorandum opinion.

DONE and **ORDERED** this March 11, 2024.

A handwritten signature in black ink, appearing to read 'Annemarie', is positioned above a horizontal line.

ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE